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Kellogg, William.

Speech...in favor of the Union.

February 8, 1861.

Washington, 1861



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*N. Goodhue*



SPEECH

OF

HON. WM. KELLOGG,

OF ILLINOIS,

IN

FAVOR OF THE UNION.

DELIVERED IN THE HOUSE OF REPRESENTATIVES, FEBRUARY 8, 1861.

The House having under consideration the report from the Select Committee of thirty-three, Mr. KELLOGG, of Illinois, said:

MR. SPEAKER: I have listened, sometimes with great pleasure, sometimes with great pain, to the arguments and speeches which have been made during the last few days in regard to the disturbed condition of the country; but thus far with little hope. I have heard well-prepared speeches delivered, gilded with well-toned periods, glittering tropes, and adorned with flowers of rhetoric and oratory; but I have as yet heard but little said which gives me hope for a bright future for this great country of ours. I have heard gentlemen of talent discuss this subject upon party grounds, as if standing upon a political battle-field, and from that stand-point consider the question of the day, with an acrimony of spirit that evidences rather the politician than the statesman. While their country lies bleeding, dismembered, and struggling in the agonies of dissolution, they talk as though the supremacy of a political party were superior to all considerations of their country's good.

For one, sir, I here say in my place, whatever may betide it, or betide me, I would rather ten thousand political parties and their platforms were overwhelmed, never to rise again, than that this great Government of ours should be imperiled. (Applause in the galleries.)

The SPEAKER *pro tempore*, (Mr. ETHERIDGE in the chair.) The galleries will preserve order.

MR. KELLOGG, of Illinois. I know that applause should not be uttered for sentiments declared here, and yet it comes bubbling up from the hearts of the people. It comes as if borne from the prairies of my own noble State, saying that the Government must and shall be preserved, though political parties sink forever into oblivion. Let it come; it is the voice of the people,



and before it traitors will tremble and treason grow pale. (Renewed applause in the galleries.)

Mr. WINSLOW. The attention of the Speaker was drawn yesterday to the fact of applause in the galleries. Certainly, no gentleman who desires the proceedings of this House to be conducted with order, would, after the remark of the Speaker yesterday, renew such demonstrations. The Speaker declared yesterday that if these demonstrations were repeated, he would cause the galleries to be cleared.

The SPEAKER *pro tempore*. No doubt those who now occupy the galleries are not those who occupied them yesterday. The remarks of the gentleman from North Carolina will probably prevent the recurrence of such demonstrations; and the Chair appeals to the galleries to refrain therefrom.

Mr. KELLOGG, of Illinois. Mr. Speaker, the condition of my voice is such that it is with difficulty that I shall be able to say what I desire, in the time allowed me by the rules. I said, sir, that this voice came up as from the prairies of my own State. I know, sir, full well, that the position I have assumed and occupy upon this question, will bring down upon my humble head the animadversion and the censure of many; but yet I think I know the people of this country; I think I know the people of my own State; and I venture to predict to-day, that, whatever politicians may say, whatever political editors may write, the heart of the people beats for the Republic, beats for their Constitution and their laws. And, sir, I here say, in the presence of my colleagues, that when this question shall go before our constituents, the people will respond that they will adjust this matter upon fair and honorable terms, and if necessary, even at the sacrifice of parties by a majority of fifty thousand votes. But suppose we fail—what matters it? Suppose we go down—what matters it? The people have in their keeping the interests of this great Government; it is garnered in loyal hearts, and they will protect and perpetuate it. Politicians will raise their puny arms in vain; but the people will sustain the Union by any just, honorable, and conciliatory measure that promises to bring harmony and peace to the nation.

When we assembled at the opening of the present Congress, the mutterings of discontent and the rumbling of the distant storm were heard, and from the far off South there came up a wail of disunion and secession. And yet we took our seats quietly here, and commenced legislation. But louder and still louder came the cry, and darker grew the clouds around and above us of revolution and rebellion against the Government of the country and the Constitution and laws; and now, gentlemen talk here of secession as a right, and argue it as a principle. We here to-day argue in reference to the right of secession. Men at the heart of this great country are discussing the right of secession, when that question is past argument. Revolution is a fact, and the historian has recorded it. Six, and perhaps seven,



of the outer circle of the stars of this Confederacy have set; and unless they shall be relumed, and return as loyal States, they have set forever in the darkness which disloyalty to freedom and constitutional law brings upon him who adopts it.

How stands the matter to-day? Sir, we are sitting here in the American Congress, for the first time in the history of the nation, with cannon bearing upon the Capitol to protect us, and with military squadrons marshaled in the streets of the city to protect the Capitol; we sit here coolly and deliberately and talk upon the "right of secession," and plan and figure for party ascendancy. God save the mark! What, sir, is our duty? Our duty is, irrespective of party considerations, to learn the real cause of the condition of the country, and to apply such remedies as the magnitude of the difficulty and the character of the nation require. Can we save the country? I believe, before God, we can, if we are true men, and do our duty. Sir, the veriest abstraction in the world—a question of political opinion misrepresented upon either side—is about to rend in pieces this fair Government of ours, and the bitterness of the strife of the last campaign is brought in to accelerate its disruption. Sir, when the historian shall write, if ever he may, the causes of the destruction of the American Government, what will he say? None does exist; none can be written. God grant he may never be called upon to do it! And if you, gentlemen of the South and gentlemen of the North, will come up to this question as men and patriots, and disabuse your minds of considerations of political power, the sun shall not rise and set five times before peace shall be restored; this great nation of ours shall be harmonious; and our glorious old flag shall wave as brightly and proudly over this Capitol as it ever has done, not a single stripe erased, not a single star obscured.

What, sir, is the real cause of our present condition? The real cause is not occasional difficulties in securing the return of fugitive slaves; and I want, to-day, to make to my southern friends a fair proposition in reference to that one of their alleged grievances. The South, with the institution of slavery, under the Constitution, is entitled to protection in the way of the return of fugitives from labor. That is my judgment; and it is the judgment of the Republican party; and it has been told you in thunder tones at the ballot-box, in the election of the President elect, that you are entitled to a faithful execution of the fugitive slave law. Have you not a sufficient guarantee of the objects and purposes of the party now coming into power, when that was declared before the election by the gentleman who has been elected President by a most triumphant majority in the great North, where you claim that this difficulty exists? It is due that I should say that Mr. Lincoln, before his election, declared, in his debates of 1858 with Judge DOUGLAS, that the South were entitled to an efficient fugitive slave law; and did you ever ask more than that? In the State of Illinois, the present fugitive slave law has been faithfully exe-

cuted. I ask my colleague, (Mr. McCLEARNAND,) with whom I have kindly relations, but have had severe conflicts politically, I ask him, and I ask you of the border States, has not Illinois executed faithfully, honorably, and justly, the law of 1850 in relation to the return of fugitives from labor?

Mr. McCLEARNAND. My testimony is not necessary to corroborate that of my distinguished colleague on that point. His statement is notoriously true. Illinois has always been mindful of constitutional obligations. More than that; police laws are now in force in that State, and have been for many years, operating efficiently in aid of the fugitive slave law; and, beyond question, the courts and juries in that State have faithfully and effectually executed that law.

Mr. KELLOGG. Mr. Speaker, there have been occasional violations of that law in Illinois. There will be occasional violations of all laws, everywhere in our country, in the South as well as in the North; but when those who violated the law came before our courts, their positions, high or low, did not shield them from the penalties of the law. Within the last twelve months, men who have violated that law have expiated the offence within the bars of a prison. I say of that law that it is harsh, and that it has objectionable and cruel features; but, sir, it is the law of the land and when I went up to that desk and laid my hand upon the Gospel, and swore to sustain the Constitution, I felt myself bound, as I ever do as a citizen of the United States, to a faithful execution of that and every other law upon the statute-book, guaranteed by the Constitution.

Mr. Speaker, I heard the gentleman from Kentucky (Mr. STEVENSON) say the other day, that Kentucky had lost \$200,000 annually in slave property. I so understood him. I do not see him now in his seat. I thought he put the proposition in an unfair light. That Kentucky has lost that amount of property in slaves, that have escaped—as they ever will escape as long as the institution exists—I do not doubt; but will he tell me that that amount of property has been lost to the people of Kentucky in consequence of any arrangements in the northern States to induce slaves to leave their masters? I do not believe he will; nor will any man who is acquainted with the northern people. Property in the services of negroes is at best uncertain in its tenure and enjoyment. Being living, breathing, immortal beings, and having the natural aspiration for freedom, they will, so long as the institution exists, escape from their masters; but that is your misfortune, and not our fault. How stands the matter in Pennsylvania? Pennsylvania, it is said, has faithfully returned all fugitive slaves. How is it with Ohio? Ohio, too, has returned them, although difficulties have arisen there as to the construction of the law; and I believe the law of 1850, providing for the return of fugitives from labor, will be fairly executed in all the free States. I say, however, that you must not charge upon me the guardianship of your slave property, or any other kind of pro-

perty. I will execute the laws faithfully; but if you have slaves you must provide your own protection for that species of property.

I am told by responsible gentlemen upon this floor that there are to-day, in the State of Maryland, men under indictment for stealing more negroes than there have been slaves taken from the South in the past year, by any combination of northern men. Why not denounce the people of Maryland because of this violation of the laws and rights of others? Simply because they are the acts of individuals; but, sir, they are not more the acts of individuals than are the acts of persons who obstruct the law of 1850, or induce the escape of slaves. Surely, then, this is no cause for the disruption of this Government. If that were the cause of difficulty, we could adjust it in an hour. That certainly is not the cause of the secession of South Carolina, Mississippi, and Alabama, and the other Gulf States. They have never lost a slave, in my judgment, by the action of the northern people. This is but a pretext to complicate the difficulties of a settlement, and make it more uncertain of ratification by the people.

But the rapid passage of my hour admonishes me that I must pass from that question to the question of the practical result of the right of southern men to emigrate to the Territories with their slaves. The States that have seceded from the Union have never sent their slaves to the Territories. They do not propose to send them there. They buy their slaves from the border States; and the practical result of the right to carry slaves into the Territories is a bagatelle, and has nothing whatever to do with this movement for secession and the disruption of the Government. But what is it, sir?

The difficulty is a conflict of opinion between the people of the South and the people of the North in relation to the institution of slavery in its moral and political forces. That conflict of opinion has existed since the organization of this Government, and it will exist as long as our Government shall last. Fifty years ago; it was generally conceded that slavery was wrong, and then there was no difficulty in adjustment and compromise. Now, the southern mind is educated to the belief that slavery is right, and the northern mind is educated in the fixed and determined opinion that it is a moral wrong, and a political evil.

Legislation may induce peace, by taking the sting out of the conflict, by preventing collision and actual conflict; but it can never change the idea and belief that slavery is wrong in the North or right in the South. Never. You may legislate until the tide shall cease to rise and fall, and yet the public mind at the South will believe that the institution of slavery is right. You may legislate till the sun shall grow tired in his course, and the northern mind will still say that slavery is a moral evil and a political wrong. Why waste your time in endeavoring to reform public opinion North, or to reform public opinion South? It is not the business or the duty of legislation. It is not a subject of legislation. It existed when the Government began. It will ex-



ist when you and I, and the States which we represent, shall have crumbled away under the gnawing tooth of time. And yet, sir, are we in the difficulty that nothing can be done to avert the evil? Is this Government to be dissolved? Is the fair fabric which our fathers builded to crumble to dust in its early manhood, because differences of opinion exist now, which existed when the Government began? I would say to my northern friend, who is willing to see this Government disrupted on that question, that, however much I might love him and admire his talents, I would take leave of him forever, and cling to the flag of my country, and let public opinion at the North and South prevail as it now is, rather than ruin should overwhelm us. This difference existed when the Government was framed. Slavery existed in Virginia, that proud old mother of States, whom I admire to-day for her position in this great conflict. She has thrown herself into the breach to turn back the tide of disunion and revolution, and says to the nation, "be united, and be brothers again." God bless the Old Dominion! New York, too, was then a slave State, and tolerated the doctrine of slavery. Massachusetts—liberty-loving State—where stands old Bunker Hill, with her thousand glorious clustering memories, drank in early the doctrines of freedom.

She early embraced the idea that human oppression was wrong in every form. True, gallant old State! On one of her hill-sides, I have seen an humble slab, with the inscription, "Here Warren fell." Who can look at it without a throb and a sensation of glorious recollection of our history? Will old Massachusetts now unbend a little, not to sacrifice her opinions and principles, but to save the Union? Will Virginia do it? Will Kentucky do it? I say before Heaven that Illinois, her young sister, will; and you, sir, (addressing Mr. McCLEARNAND,) and I will march hand in hand to consummate the glorious triumph of the reunion of the States in the spirit in which they were first formed.

Mr. McCLEARNAND here advanced, and giving his hand to Mr. KELLOGG, said—

"And what other oath,  
Than honesty to honesty engag'd,  
That this shall be, or we will fall for it?"

(Great applause in the galleries.)

Mr. FARNSWORTH, (in his seat.) I wish you joy of the wedding.

Mr. KELLOGG, of Illinois. My colleague says he wishes me joy of the wedding. Sir, when any member of any party will ask me to stand with him by the country, disregarding political distinctions, I say we will be brothers, whatever may betide; and, if I must part with my friends, I will give them a blessing. Although they may wander for a time in the dark paths of fanaticism, they will at last return to the homes of their fathers; and we will take them back and make them first children in the household.

I said, sir, that when this Government was formed there was this conflict of opinion. Do you believe it could ever have been formed, if it had been required that Virginia and old Massachusetts should agree that slavery was either right or wrong? No, sir. The very question which now disturbs us would have prevented the union of the States. If Virginia or North Carolina had said to Massachusetts, "You must believe as we do," I tell you the battle of Bunker Hill would never have been fought. But, sir, what did they do? They agreed to tolerate opinion in the different localities, as we are compelled to tolerate opinions on political and religious subjects among our neighbors, so as to live together in good brotherhood. What did they do in the Territories? Did they say that no slavery should exist in the Territories? Your fathers did in the northwestern Territory. Slavery was not there, practically; or if at all, to the most trifling extent. When Virginia gave to the country the great Northwest, out of which the State which I in part represent was carved, your fathers said "It is best that slavery shall not make its mark on that soil." Three years afterwards, in 1790, the same men took a cession of territory from North Carolina, in which slavery did exist, and they said "slavery shall not be abolished there." That was the doctrine of the fathers. They tolerated this difference of opinion in the different Territories; but marked the line. So that the question might not create any conflict, they tolerated the opinion of the right and of the wrong of slavery to exist; and yet they prevented the practical conflict of that opinion. And all we want to-day is to prevent that practical conflict. Let us do that, and the old ship of State, which now lies floundering in the trough of the sea, shall come into a harbor of smooth waters, with all its canvas set, not a spar broken, nor a sail torn.

Then do it, my friends. If you but return to the policy of your fathers; if you go back and do that now to save the Union that they did to make the Union originally, the question is settled in an hour. Woe be to him, when the shock comes, who did not do all in his power to settle this vexed question in American politics.

In view of that idea, and the true policy of the Government, and the policy of the fathers in regard to slavery, I have presented to this House resolutions which I believe carry out every doctrine of the Republican party, and which, if adopted, will give peace to the country and a glorious termination to that conflict which was likely to involve the country in the calamities of disruption and civil war. I propose to amend the Constitution; to do that which the fathers did in 1820, when the same question was before the American mind. There was then a practical conflict of opinion in regard to slavery in the Territories. There was slavery, in fact, in the southern part of the Louisiana purchase. There was no slavery, in fact, in the northern portion of it. The people of the eastern States demanded a right to emigrate there, and that they should have freedom as an inheritance.

There was a conflict of opinion; it was an unoccupied Territory, but about to be settled; and that conflict of opinion was fast becoming a conflict in fact. What did the fathers do when the best men in the Republic trembled for its perpetuity? These men, who had drunk in the inspiration of the Revolution, said: "There shall be a line drawn between us, brothers as we are. North of that line slavery shall never be. South of it slavery does exist. So let us be at peace." What was the result? The result was what it would now be if we should return to that policy—peace and joy. The glad tidings swept over the land, and all was harmony; and hope and confidence was again restored. So, for thirty years there was a tolerance of opinion on the slavery question north and a tolerance of opinion south of that line; and the people went on in that glorious career which this Government ought to have before the nations of the earth, in all time to come. But in an evil hour, when the political mind of the nation was inflamed by partisan strife for power, that line was abolished; that barrier for freedom was destroyed; and the conflict which had been prevented by its establishment raged anew; and from then to the present hour, the country has blazed and burned, seethed and bubbled, with political excitement, until now ruin stares us in the face. Had that been in the Constitution, it would have given peace while the Government lasted. Let us judge of the future by the past. Let us put the same provision in the Constitution. That is my proposition—nothing more, nothing less.

Mr. Speaker, I want to say a word to my Republican friends. Whether I am in or out of the party is to me of very little moment. Last year the old Tribune, of New York, attacked me; and I read it out of the party tolerably successfully in Illinois. The little Tribune, of Chicago, has attacked me during this session. I will give it sufferance a little while longer; but if it does not then correct its manners and habits, I will read it out of the party also. (Laughter.) What was it that made the Republican party? It was the breaking down of the Missouri line. We said that that was a settlement between the North and the South; and when it was destroyed, the indignation of the northern people defeated the party that destroyed it, and gave rise to the party which is now the dominant party in this country. This trouble has come upon us, and I ask you to put back the same principle in a shape so that it shall not be effaced from our laws. I ask you to adopt the principle which you said was right in 1856.

Is there in the Republican ranks any Democrat who left his party in 1856? I believe there are many of them. Why did they leave it? Because of the repeal of the Missouri compromise line. How can you answer when this proposition to put back that line—which can alone give peace to the country—is made in this House? Will you say that you would rather that this Government should be destroyed, than to go back to the days of peace and prosperity under the Missouri compromise line policy? To the agitator, it is the knife of the surgeon. When peace shall be



restored, when confidence and fraternal relations shall return to him who has lived upon excitements, who feasts on commotion and strife, I say,

“Othello’s occupation’s gone.”

What is my proposition? I propose to put in the fundamental law of the land, that north of  $36^{\circ} 30'$  of north latitude slavery shall not exist, and that south of it neither Congress nor the Territorial Legislature shall prevent or prohibit the emigration of settlers from the southern States with persons held to service or labor. There is no equivocation about it. I say, in terms, what the Missouri compromise said inferentially. It is a day when men must speak fairly and plainly; and, sir, I have no other way to speak, than in bold Saxon, frankly, what I mean.

To my Republican friends I would address myself. How does this differ from the Republican platform? I am charged with abandoning the principles upon which I was elected. The Republican party declares that slavery should not be extended. No power on earth, we said, shall compel us to vote for the extension of slavery over one foot of the Territories of the United States now free. That was the war cry of the party. It was thundered from every stump; it was told in every hall, and repeated in every convention. How stands the matter? Do I depart from the platform? To-day, every foot of American territory is, by the decision of the courts, slave territory. Every foot of American territory is as much slave territory as was the Louisiana purchase in 1820. Nay, more, sir; by an adjudication of the Supreme Court of the United States, a person may emigrate with his slaves to any of our territory, and neither Congress nor Territorial Legislature have the right to prevent it. And, however much you may regret or denounce that decision, the question has been decided; and it is too late for us to quibble about it. I propose by this amendment of the Constitution to root out that decision in all of our territory north of  $36^{\circ} 30'$ . I propose, sir, to give back to freedom what has been given to slavery. I propose to give you what the Dred Scott decision filched from you. Does this extend slavery? I ask you, gentlemen of the North, how much do you gain by this? You gain everything that was gained by the restriction of 1821. You said that that gave slave territory to freedom. This dedicates to freedom territory sufficient in which to establish empires, now subject to slavery by the adjudication of the courts. Nor is the South shorn of its rights. Southern men have expressed a desire to emigrate with their slaves to the Territories. I have never believed that you were very serious in that proposition. Pardon me the imputation. I have always thought, and still think, that you never seriously expected to emigrate to the Territories with your slaves. You have tried it for ten years. You have had New Mexico, lying south of  $36^{\circ} 30'$ , and being the only Territory south of that line, and what have you done there in the last ten years? What have you practically done under this boasted right of emigration to the Territories? What have you done with

that right, which, unless you have secured, you propose to dissolve this Union? In ten years you have not got over ten negro slaves into New Mexico. If you keep it ten years longer you will not have as many as you have got now. We propose to you that we will give a guarantee that, while the territorial condition lasts, you shall not be prevented from emigrating with persons you hold as slaves, to any Territory south of the line indicated.

Mr. WINSLOW. What does my friend mean when he says "we." Does he mean that the Republican party will accede to that proposition?

Mr. KELLOGG, of Illinois. If it does not come out of my time, I will answer any proposition or question.

Mr. FARNSWORTH. I move that my colleague's time be extended. (Cries of "Agreed!" "Agreed!")

Mr. WINSLOW. Does the gentleman mean by "we" that the Republican party and incoming Administration will agree to the proposition he offers?

Mr. KELLOGG, of Illinois. I offer the proposition. I do not know whether there will be any "we" in the matter. (Laughter.) I offer it; and I urge the Republicans to adopt it. I believe that the people will make them adopt it, and make the South adopt it.

Mr. WINSLOW. I am delighted to hear the gentleman speak so liberally.

Mr. JOHN COCHRANE. The gentleman means by "we," we, the people.

Mr. KELLOGG, of Illinois. I mean by "we," those who will go with me in support of my proposition. In less than six months there will be a vast majority of the people for it. I do not care for the politicians. They are joined to their idols, let them alone. (Laughter.)

I said it was proposed that they should have this guarantee. Slavery exists there to-day by positive enactment. It exists there by the decision of the Supreme Court of the United States in the Dred Scott case. It exists there to-day, in fact; and I believe the people will say that they will not interfere with it south of latitude 36° 30'. Is not this all you can reasonably ask? Do you desire to go north of that line? Look at the practical result of your efforts to introduce slavery into Kansas and Nebraska. You have had, for six years since the Missouri compromise line was abrogated, the Army of the United States, Congress, the Executive, and the highest judicial tribunal known to our laws, to aid you; and yet you have not got a dozen slaves into Kansas. What higher agency than you have had to sustain you, can you expect or desire? Nor do I believe, with all these influences at your command, you could ever permanently establish the institution of slavery in either Kansas or Nebraska. Will you, then, insist upon disrupting the Government, because you cannot, in fact, establish an institution neither in harmony with the moral sense of the people to be affected, nor required by the physical demands of the country?

If you do, go on in your mad career, and we will meet you at Phillippi, first with the compromises proposed, and then with the power of the Government. To northern men let me say, when you charge me with proposing to extend slavery, I want you to go to your constituents and tell them, upon the stump and at the hustings, where this proposition will extend slavery over one inch of our public domain. Slavery is already in New Mexico by law, and by the decisions of the courts. I have said, in the proposition I have offered, that I will not prevent emigration there; but the proposition will not, it does not, and by its terms it cannot, carry slavery one inch further than where it now exists. It leaves it where it is. And you of the South cannot complain, for you cannot go with slavery north of that line; and you of the North cannot complain, for it does not force slavery anywhere, but establishes freedom over the great northwestern territory—the very doctrine which you proclaimed upon every stump in your districts. Yet you tell me I have adopted the Dred Scott decision and the Breckinridge platform of the extension of slavery everywhere.

Mr. FARNSWORTH. I wish to ask my colleague whether he will adhere to his proposition if he believes the effect will be to make all territory south of 36° 30' slave States?

Mr. KELLOGG, of Illinois. Into slave States? I say to my friend that when I offered my proposition, I offered it with a determination to adhere to all its legal and logical consequences.

Mr. FARNSWORTH. Then you would.

Mr. KELLOGG, of Illinois. You have my answer. Did the gentleman, when he voted for the Crittenden-Montgomery measure, vote for it as a cheat, or in good faith?

Mr. FARNSWORTH. When I voted for the Crittenden-Montgomery amendment, I voted for it knowing that the people of Kansas would make a free-State constitution. I was as well satisfied of it as I would be should I refer a matter to the arbitration of three persons, two of whom were committed to me, that they would find in my favor.

Mr. KELLOGG, of Illinois. And yet, as a Representative of one of the proudest northwestern States, my colleague says he took a constitution, already dripping with corruption and fraud, covered with slavery of the deepest line, and held it out to the people, and said: if you take it, you can come into the Union; and now he says he did not mean to do what he did do. He did not mean to make it a slave State; but he told the people they might make it a slave State; and, as they might decide, he would be content. I voted for it after great reflection, and with great doubt of the propriety of it; but I yielded, and I voted because I voted for a principle. I said then, as I have said often since, having taken the step, I will stand by the record; and I will not oppose the introduction of a slave State if the people fairly will it. That is the doctrine of the Crittenden-Montgomery amendment. That is what my colleague voted for; what every man who voted for it voted for; and if they voted fairly and honestly then, they will



now vote for my proposition, unless there are other objections to it than those made by my colleague.

Mr. FARNSWORTH. My colleague voted for the Crittenden amendment, and I believe for the same reason; at least the sequel showed that we were right in our suppositions in regard to it. [Here the hammer fell.]

Mr. HINDMAN. I hope the time of the gentleman from Illinois will be extended.

Mr. BURNETT. His time was extended some time ago by unanimous consent. (Cries of "Go on!" "Go on!")

Mr. FARNSWORTH. Furthermore, at the time we adopted the Crittenden-Montgomery amendment to the Lecompton bill, we were forced to the alternative either to admit Kansas under the Lecompton Constitution as a slave State, or refer the matter back to the people; and it was for that alternative I voted. We did vote to refer it to the people, believing, as we did, that the people would vote against it. The sequel proved that we were right.

Mr. KELLOGG, of Illinois. My friend says he voted under compulsion; that he was forced to vote as he did. Before God, as humble as I am, there is no power on earth that can make me vote under compulsion, and as my judgment does not lead me.

Mr. FARNSWORTH. My judgment led me to vote as I did.

Mr. KELLOGG, of Illinois. Your judgment led you to vote as you did. Now, had it turned out that the people had adopted that constitution, what would have been your answer? That, had you not thought the result would have been different, you would never have voted to submit the constitution to the people. My God, with the prospect of a disruption of our Government resting upon the soul, the heart, and the conscience of every man, will you not, when you yielded so much then, yield a little now to save your country, when you could bend then to pass the Crittenden-Montgomery amendment, will you not now yield a little to save the Union?

Mr. FARNSWORTH. Will my friend allow me——

Mr. KELLOGG, of Illinois. If my friend wants an opportunity to discuss this matter, I have no objection.

Mr. SIMMS. I object to these interruptions. I am willing, however, that the time should be extended, if it is not taken out of the time of my friend from North Carolina, (Mr. SMITH,) who is to follow the gentleman from Illinois.

Mr. KELLOGG, of Illinois. I was on this point of my argument——

Mr. FARNSWORTH. Does my colleague decline to yield?

Mr. KELLOGG, of Illinois. I do not decline.

Mr. FARNSWORTH. One objection cannot prevent it. I understand my colleague to appeal to me——

Mr. SIMMS. I object.

Mr. FARNSWORTH. I understand my colleague yields. His time has been extended, and he has a right to yield.

Mr. McCLEARNAND. I hope it will not be for a repetition of the same matter.

Mr. KELLOGG, of Illinois. I am a good deal exhausted, and I shall soon be through with my remarks.

Mr. FARNSWORTH. My colleague asks me if I would not yield a little to save the Union. I understand that the people of the United States, in the last election, pronounced a verdict. There were four candidates before the people, and four platforms: the Breckinridge platform, which reorganized the validity of the Dred Scott decision as applicable to all the Territories of the United States, and as extending slavery there; and Douglas and his platform of squatter sovereignty, proposing to give to the people of the Territories the right to form their own domestic institutions, and to come into the Union as States, with or without slavery, as they should determine. My colleague's proposition is about this: that to all Territories north of  $36^{\circ} 30'$  the Douglas platform shall apply; and to the Territories south of that line, he applies the Breckinridge platform and the Dred Scott decision.

I will not yield these principles. No, sir; I will not yield the principle that slavery shall be extended over that Territory to save the Union. I believe that the principles of liberty are worth more than Government. Government is ordained to subserve and protect those principles of liberty; and when it becomes subversive of those ends, it is the right and duty of the people to set aside that Government and revolutionize it. I do not believe that the Republican party is a myth, or its principles a humbug. I am not willing to tell this House and the country that the Republican party, in the last campaign, were fighting for a humbug, and on false pretenses; maintaining that their principles were worth contending for, and then suddenly turning round and saying to the country that we have no principles.

Mr. KELLOGG, of Illinois. My colleague certainly does not comprehend my position, or he would not so sadly mistake it; but I believe he differs with me just where I thought he would. When this Government is in danger; when ruin sits enthroned above us, darting its shafts at our very hearts, my friend plants himself upon an objection to my proposition—that it was embraced in the Douglas platform, in the Breckinridge platform, or in the platform of some party. That is the only force his objection has. Men that base themselves upon the hopes of a party are not with me. I am for the country above all parties, (applause in the galleries,) and I do not care whether my proposition is found in the Douglas platform, in the Breckinridge platform, or in any platform on earth, if it will save my country. (Renewed applause in the galleries.)

The SPEAKER *pro tempore*, (Mr. CURTIS in the chair.) Order must be preserved in the galleries.

Mr. KELLOGG, of Illinois. Mr. Speaker, I hate to differ with my friend from Chicago, our relations have been so kind and friendly; but when he says that he would not depart from his platform to save the Union, let me advise him to emigrate to South Carolina, where they declare that rather than yield their

political opinions, they will destroy this Union. But how stands this matter in regard to this question of slave States? By the compromise of 1850, the Government was pledged to admit States with such institutions as their people might adopt in all the Territories south of latitude  $36^{\circ} 30'$ . That was the pledge of the great men of 1850; and it and its kindred measure, the Missouri compromise, gave peace to the Union. Would to God that we could have been spared the repeal of the Missouri compromise, with all its attendant evils and calamitous results. Is my friend from Chicago quite sure that he voted right in the last Presidential election, when he voted for Lincoln? Mr. Lincoln declared that if the Territories were kept free during their territorial condition, he could not object to the introduction of States, either with or without slavery, as the people thereof should determine.

And, sir, I propose to put this territory north of  $36^{\circ} 30'$  in the exact condition indicated by Mr. Lincoln—that when States were formed from that territory he would not oppose their introduction into the Union, either as free or slave.

Now, sir, if my friend from the Chicago district wants to get on the stool of repentance, and to retract and repudiate that vote for Mr. Lincoln, let him do it; but let him not charge me with departing from the faith of the party.

Mr. Speaker, having made this explanation of the proposition that I have offered, let me reply to what my colleague has stated. Let me tell him my proposition is not to be found in any of the platforms to which he referred. The leading feature of it is to establish freedom where it does not exist to-day. Slavery exists to-day south of that line. Do you wish to establish freedom in all the territory north of it, and to make it as fixed and certain as the eternal hills? Or do you want this interminable slavery question forever to rankle in the hearts and consciences of the people? If you do, I say to you, in God's name, do not vote for my proposition. Let him who is willing to tolerate a difference of opinion on this question in different parts of this great country, adopt it and establish freedom north of this line. It is the very doctrine, sir, for which you and I fought in the last campaign—make it certain forever.

We in Illinois never pledged ourselves to abolish slavery in one inch of the territory of the United States. The Republican party never advocated the abolishment of slavery. But we pledged ourselves to prevent its extension. By the law of the Dred Scott decision, it is extended all over the country. Now, under this proposition, all the territory north of  $36^{\circ} 30'$  is made free, and slavery left just where it is, south of that line. Does my colleague object to that proposition?

Mr. FARNSWORTH. I will answer my colleague.

Mr. SIMMS. I object to any such interruption.

Mr. HINDMAN. This is an inquisition into the meaning of the Chicago platform, as I understand it, by experts; and I hope the gentleman will be allowed to go on with it.



Mr. KELLOGG, of Illinois. As objection is made to interruption, I must, of course, decline to yield. These questions of political significance "pass by me as the idle wind, which I regard not." I care but little for them.

I was asking, sir, whether the people of the North are willing to take all and more than they expected to get by the great triumph which they achieved in November last? Slavery exists by law now in New Mexico and Arizona; and, sir, this line cuts off nearly a hundred miles of the northern portion of that territory, and excludes slavery therefrom. Gentlemen, all that you said to the people on the stump was, that you desired to prevent the extension of slavery. You did not say that you desired to abolish it. Oh, gentlemen! you can settle this question, and save the country, and save the immutable principles of freedom and liberty, or you can fritter it all away by the mad fanaticism of political aspiration. Which will you do? Republicans, will you unbend a little. And will you of the South, too, stop this secession movement, and come up here as true men, laying your prejudices upon the altar of our country, and with your eye fixed upon that God in whose hand are the destinies of the nation, swear that the country shall be preserved in all its integrity and all its glory?

You will. The day is dawning. The clouds are dispersing. Hope springs within me as I contemplate the insignificance of the questions that divide us, and the mighty objects to be attained in the salvation of the country and the hope of liberty in the world.

Mr. Speaker, if any ask me, "what if all this fail?" If you ask me, "will the South take it?" I cannot answer. True, men say they will; but, if not, I have done my duty. I have discharged my trust. When that fails, I will go further. I will go to the people of my own loved State for vindication. If you cannot settle this matter here, we will refer it to the people, the source of power, the glory of the world. They will settle these questions themselves. But if they cannot settle them, then I am for the maintenance of the Government, for I believe in its vitality and power for self-preservation. If every peaceable measure fails, I will do as did our fathers when they disrupted the ties between the colonies and the mother country. Wronged and oppressed, they proposed, they expostulated, they argued, they entreated; and, when all hope was lost, they appealed to the God of battles for the justice of their cause. When that time shall come; when I have exhausted all argument, all expostulation, all hope of a peaceful solution, then I have but one more duty to perform; then I will appeal to the God of battles, raising the banner that floats over our heads, and saying to my countrymen, "rally around your flag, sustain your country," and if we must go down, we will go down with the flag of our country in our hands, and our Heavenly Father will bless the effort and raise it again, till the glory of our Republic shall be as eternal as the heavens. (Applause on the floor and in the galleries.)

## APPENDIX.

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The following is Mr. KELLOGG's proposition :

JOINT RESOLUTION proposed to be offered by Mr. KELLOGG, of Illinois, when in order, as a substitute for the various propositions submitted by the committee of thirty-three :

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, two-thirds of both Houses concurring,* That the following articles be, and are hereby, proposed and submitted as amendments to the Constitution of the United States, which shall be valid to all intents and purposes as part of said Constitution, when ratified by conventions of three-fourths of the several States.

ARTICLE 13. That in all the territory now held by the United States, situate north of latitude thirty-six degrees and thirty minutes, involuntary servitude, except in the punishment for crime, is prohibited, while such territory shall remain under a territorial government. That in all the territory now held south of said line, neither Congress nor any territorial legislature shall hinder or prevent the emigration to said territory of persons held to service from any State of this Union when that relation exists by virtue of any law or usage of such State, while it shall remain in a territorial condition; and when any territory north or south of said line, within such boundaries as Congress may prescribe, shall contain the population requisite for a member of Congress, according to the then federal ratio of representation of the people of the United States, it may, if its form of government be republican, be admitted into the Union on an equal footing with the original States, with or without the relation of persons held to service and labor, as the constitution of such new State may provide.

ARTICLE 14. That nothing in the Constitution of the United States, or any amendment thereto, shall be so construed as to authorize any department of the government to, in any manner, interfere with the relation of persons held to service in any State where that relation exists, nor in any manner to establish or sustain that relation in any State where it is prohibited by the laws or constitution of such State. And that this article shall not be altered or amended without the consent of every State in the Union.

ARTICLE 15. The third paragraph of the second section of the fourth article of the Constitution shall be taken and construed to authorize and empower Congress to pass laws necessary to secure the return of persons held to service or labor under the laws of any State, who may have escaped therefrom, to the party to whom such service or labor may be due.

ARTICLE 16. The migration or importation of persons held to service or involuntary servitude into any State, Territory, or place within the United States, from any place or country beyond the limits of the United States or Territories thereof, is forever prohibited.

ARTICLE 17. No territory beyond the present limits of the United States, and the Territories thereof, shall be annexed to or acquired by the United States unless by treaty; which treaty shall be ratified by a vote of two-thirds of the Senate.









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